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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

IOLA FAVELL, SUE ZARNOWSKI,
MARIAH CUMMINGS, and AHMAD
MURTADA, *on behalf of themselves*
and all others similarly situated,

Plaintiffs,

v.

UNIVERSITY OF SOUTHERN
CALIFORNIA,

Defendant.

Eric Rothschild (*pro hac vice*)
Tyler Ritchie (*pro hac vice*)
Chris Bryant (*pro hac vice*)
Madeline Wiseman (SBN 324348)
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Case No. 2:23-cv-00846-GW-MAR;
Case No. 2:23-cv-03389-GW-MAR

CLASS ACTION

**PLAINTIFFS' NOTICE OF
MOTION AND MOTION FOR
CLASS CERTIFICATION**

Date: January 30, 2025
Time: 8:30 a.m.
Judge: Hon. George H. Wu

MOTION

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on January 30, 2025, at 8:30 a.m., in Courtroom 9D of the First Street Courthouse, located at 350 West 1st Street, Los Angeles, California, 90012, Plaintiffs Iola Favell, Sue Zarnowski, Mariah Cummings, and Ahmad Murtada, individually and on behalf of all others similarly situated, will and hereby do move before the Honorable George H. Wu for certification of the following classes:

Class: All persons who: (1) were enrolled in the online MAT (single subject (“SS”) or multiple subject (“MS”)) or the online Ed.D in Organizational Change and Leadership (“OCL”) at Rossier; (2) began classes in a program cohort between August 2017 and January 2022; and (3) paid or were obligated to pay tuition for classes associated with the program in which they enrolled.¹

Online MAT Damages Subclass: All Class Members who were enrolled in the online MAT (SS or MS) at Rossier.

Online OCL Damages Subclass: All Class Members who were enrolled in the online Ed.D in OCL at Rossier.

Plaintiffs respectfully seek class certification pursuant to Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure. Plaintiffs make this motion on the ground that the numerosity, commonality, typicality, and adequacy requirements of Fed. R. Civ. P. 23(a) are met. Plaintiffs also make this motion on the ground that questions of law and fact common to the Classes predominate over any questions affecting individual members, and a class action is the superior method for adjudicating the disputes, satisfying the requirements of Fed. R. Civ. P. 23(b)(3).

¹ Specifically excluded from the putative Classes are Defendant, any entities in which Defendant has a controlling interest, any of Defendant’s parents, subsidiaries, affiliates, officers, directors, employees, and members of such persons’ immediate families, and the presiding judge in this case, their staff, and his, her, or their immediate family.

1 Plaintiffs further request that the Court appoint (1) Plaintiffs Iola Favell, Sue
2 Zarnowski, Mariah Cummings, and Ahmad Murtada as class representatives on all
3 claims, and (2) the law firms of Tycko & Zavareei LLP and National Student Legal
4 Defense Network as Class Counsel.

5 Plaintiffs base the motion on the following documents: this Notice of Motion
6 and Motion; the accompanying Memorandum of Points and Authorities in Support
7 of Plaintiffs' Motion for Class Certification, which is being filed contemporaneously
8 with this Notice of Motion and Motion; the pleadings, record, and other filings in
9 these cases; the Declarations of Anna C. Haac and Eric Rothschild and all exhibits
10 thereto, which are attached to Plaintiffs' Memorandum of Points and Authorities in
11 Support of Plaintiffs' Motion for Class Certification; as well as such other oral and
12 written points, authorities, and evidence as the parties may present at the time of the
13 hearing on the motion.

14
15 Dated: December 2, 2024

Respectfully submitted,

16
17 /s/ Anna C. Haac

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